

JONATHAN W. FOUNTAIN
Nevada Bar No. 10351
JENNIFER R. LLOYD
Nevada Bar No. 9617
MATTHEW J. KREUTZER
Nevada Bar No. 8834
HOWARD & HOWARD ATTORNEYS PLLC
3800 Howard Hughes Pkwy., Suite 1000
Las Vegas, NV 89169
Tel. (702) 257-1483
Email: jwf@h2law.com
Email: jl@h2law.com
Email: mjk@h2law.com

*Attorneys for Plaintiff
ProteinHouse Franchising, LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PROTEINHOUSE FRANCHISING, LLC,

Plaintiff,

v.

EAT STRONG, LLC, DANTE J.
ESQUIBEL, RYLEE L. GEHRKE, GARY
M. STODDARD, and TERRI L.
STODDARD,

Defendants.

Case No. 2:18-cv-00938-JAD-CWH

**STIPULATION AND ORDER FOR
ACCEPTANCE OF SERVICE AND TO
RESCHEDULE HEARING**

Plaintiff ProteinHouse Franchising, LLC (“ProteinHouse”) and Defendants Eat Strong, LLC, Dante J. Esquibel, Rylee L. Gehrke, Gary M. Stoddard, and Terri L. Stoddard (“Defendants”), by and through their respective counsel, hereby agree and stipulate as follows:

1. Defendants agree to accept service of the Complaint (ECF No. 1), Plaintiff’s emergency motion for temporary restraining order (ECF No. 3), Plaintiff’s emergency motion for preliminary injunction (ECF No. 4), the issued summonses (ECF No. 6), and the Court’s order, dated May 23, 2018, (ECF No. 7), effective May 25, 2018;

2. To further settlement discussions, the parties agree to vacate the hearing on Plaintiff’s emergency motions, presently set for May 31, 2018 at 2:00 p.m., and to reschedule the hearing to occur on June 14, 2018 at 2:00 p.m.; and

3. Plaintiff's agreement to extend the hearing shall not constitute laches or otherwise be used against Plaintiff by any Defendant to argue that Plaintiff is not entitled to temporary or preliminary injunctive relief.

4. Because this case is in the very early stage, Defendants' counsel has not yet been admitted in Nevada or made an appearance in this case, but is authorized to accept service on Defendants' behalf and to agree to this stipulation on Defendants' behalf. Defendants' counsel has reviewed the requirements for admission *pro hac vice* in Nevada, intends to seek admission *pro hac vice*, and is unaware of any reason under the applicable rules why he would not be admitted *pro hac vice*.

IT IS SO AGREED AND STIPULATED:

HOWARD & HOWARD ATTORNEYS PLLC

DENTON PETERSON, P.C.

By: /s/ Jonathan W. Fountain
Jonathan W. Fountain
Jennifer L. Lloyd
Matthew J. Kreutzer
3800 Howard Hughes Pkwy., Suite 1000
Las Vegas, NV 89169
Tel. (702) 257-1483
Email: jwf@h2law.com
Email: jl@h2law.com
Email: mjk@h2law.com

By: 
Brad A. Denton
1930 N. Arboleda, Suite 200
Mesa, AZ 85213
Tel. (480) 925-9900
Email: brad@dentonpeterson.com

*Attorneys for Defendants
Eat Strong, LLC, Dante J. Esquibel,
Rylee L. Gehrke, Gary M. Stoddard,
and Terri L. Stoddard*

*Attorneys for Plaintiff
ProteinHouse Franchising, LLC*

Dated: this 25th day of May, 2018

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE

DATED: 5/25/2018